

ORIGINAL

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

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MAR 27 1997
Federal Communications Commission
Office of Secretary

In Re)
)
Amendment of Section 73.202(b)) MM Docket No.97-50
Table of Allotments,) RM- 8995
FM Broadcast Stations)
Ocean Shores, WA)

To: Chief, Policy and Rules Division

COMMENTS AND COUNTERPROPOSAL

Jodesha Broadcasting , Inc. ("Jodesha"), by its attorney, hereby submits its Comments and Counterproposal in the above-captioned proceeding wherein the Commission has proposed to allot FM Channel 292A to Ocean Shores, Washington, as that community's first FM allotment.

Jodesha is the permittee of Station KFMY(FM), South Bend, Washington, which is authorized to operate on Channel 289C3. Simultaneously with the filing of these Comments, Jodesha is filing an application on FCC Form 301 of modification of the station's construction permit to provide for a one-step upgrade of KFMY's facilities on Channel 289 to Class C2. The proposal for KFMY to operate on Channel 289C2 is mutually exclusive with the proposal to allot Channel 292A to Ocean Shores. Therefore, pursuant to the Commission's policies for processing applications which conflict with rule making proposals, Jodesha's application will be treated as a counterproposal in this proceeding unless the conflict between its application and the proposed allotment can be resolved.

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Attached hereto are FM separation studies which establish that the following four channels can be allotted to Ocean Shores in compliance with the mileage separation requirements of the Commissions rule making proposals: 228A, 234A, 278A and 300A. Jodesha hereby proposes that one of these four channels be allotted to Ocean Shores in lieu of Channel 292A so as to eliminate the conflict between the proposed Ocean Shores allotment and Jodesha's one-step upgrade application. Adoption of this counterproposal will serve the public interest as it provides for both the allotment of a Class A channel to Ocean Shores and the grant of Jodesha's application and it will permit quick action on both Jodesha's application and the proposal to allot a Class A channel to Ocean Shores.

Respectfully submitted, 

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Washington, DC 20007
Tel: 202/625-6241

**Attorney for Jodesha
Broadcasting, Inc.**

Date: March 26, 1997

South Bend, WA

FM SEPARATION STUDY

Job Title :OCEAN SHORES/228A

Separation Buffer 50 km

FCC DB Date : 02/19/97

Channel 228A (93.5 MHz)

Coordinates : 46-57-47 124-09-50

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KASTFM LIC	Astoria OR	BLH810526AL	225C1 92.9	99. 165.0	46-10-54 123-48-19	162.4	91.12 16.12	75 CLEAR
KASTFM CP	Astoria OR	BPH960524IA	225C1 92.9	51.0 178.0	46-10-54 123-48-19	162.4	91.12 16.12	75 CLEAR
K226AI CP	Portland OR	BPFT950324TD	226D 93.1	.016 417.0	45-21-17 122-59-23	152.8	200.46 .00	0 TRANS
Translator for KLVR, Santa Rosa, CA - Vertical Polarization Only-Major Amendment to 941107TA 950324								
KUBE LIC	Seattle WA	BLH831004AF	227C 93.3	100. 393.0	47-32-39 122-06-29	66.6	168.51 3.51	165 CLOSE
K228CX LIC	Wenatchee, etc. WA	BLFT891201TC	228D 93.5	.048 DA 784.0	47-30-33 120-14-22	77.0	303.31 .00	0 TRANS
KPDQFM LIC	Portland OR	BLH900828KD	229C 93.7	100. 387.0	45-29-20 122-41-40	144.9	199.27 34.27	165 CLEAR
	Port Renfrew BC		230A 93.9		48-32-48 124-24-10	354.3	176.99 114.99	62 CLEAR
NEW APP	Tillamook OR	BPH960710MB	231A 94.1	.950 227.0	45-27-27 123-55-00	173.4	168.44 137.44	31 CLEAR

** End of separation study for channel 228A **

Jodesha Broadcasting, Inc

Page: 1
03/18/97

South Bend, WA

FM SEPARATION STUDY

Job Title :OCEAN SHORES NPRM/234A

Separation Buffer 50 km

FCC DB Date : 02/19/97

Channel 234A (94.7 MHz)

Coordinates : 46-57-47 124-09-50

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KKEE LIC	Long Beach WA	BLH880401KC	232A 94.3	3.00 71.0	46-18-51 124-03-07	173.2	72.65 41.65	31 CLEAR
Class B1 with respect to Canada								
NEW APP	Shelton WA	BPH960708MB	233A 94.5	6.0 100.0	47-15-57 123-13-02	64.5	79.35 7.35	72 CLOSE
NEW APP	Shelton WA	BPH960708MA	233A 94.5	0.66 301.0	47-08-18 123-08-28	75.5	80.13 8.13	72 CLOSE
NEW APP	Shelton WA	BPH960703MN	233A 94.5	.78 273.0	47-08-17 123-08-27	75.5 SS	80.15 8.15	72 CLOSE
ALC	Shelton WA	Docket95-156	233A 94.5	.0	47-14-43 123-10-25	66.9	81.47 9.47	72 CLOSE
Proposed to Canada as Class B1 951031-Specially negotiated, short-spaced allotment limited to 6kw ERP and 100m HAAT or equivalent.-Accepted by Canada 960319. Site Restricted 6.6km Northwest-Effective 6-7-96								
KUKN LIC	Kelso WA	BLH910905KB	233A 94.5	6.00 100.0	46-12-54 123-02-24	133.7 SS	119.73 47.73	72 CLEAR
Proposed to Canada as B1 910912-Accepted by Canada 911107								
KNRK CPM	Camas WA	BMPH960607IE	234C3 94.7	3.4 246.0	DA 45-27-17 122-32-58	142.9	208.88 66.88	142 CLEAR
From Channel 234C3 per D92-241								
KULU PADD	Seaside OR	RM8884	235A 94.9	.0	45-54-35 123-56-07	171.4	118.41 46.41	72 CLEAR
Proposed as Class B1 to Canada 961115-Limited to 6kw ERP and 100m HAAT or the equivalent. Site Restriction 10.1km South								
KUOW LIC	Seattle WA	BLED850715KJ	235C1 94.9	100. 224.0	47-36-58 122-18-28	61.9	158.08 25.08	133 CLEAR
Commercial Channel Operating Educational								
KITIFM LIC	Winlock WA	BLH950501KB	236A 95.1	0.38 268.0	46-32-35 123-01-14	117.8 SS	99.06 68.06	31 CLEAR

Jodesha Broadcasting, Inc

Page: 2
03/18/97

South Bend, WA

FM SEPARATION STUDY

Job Title :OCEAN SHORES NPRM/234A

Separation Buffer 50 km

FCC DB Date : 02/19/97

Channel 234A (94.7 MHz)

Coordinates : 46-57-47 124-09-50

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KGHO FM	Hoquiam		237A	1.15	46-55-53	96.0	32.94	31
LIC	WA	BLH7123	95.3	137.0	123-44-02		1.94	CLOSE
Class B1 with respect to Canada								
KGHO FM	Hoquiam		237A	3.3	46-55-53	96.0	32.94	31
APP	WA	BMLH960226KA	95.3	137.0	123-44-02		1.94	CLOSE
Class B1 with respect to Canada								

** End of separation study for channel 234A **

Jodesha Broadcasting, Inc

South Bend, WA

Page: 1
03/18/97

FM SEPARATION STUDY

Job Title :OCEAN SHORES NPRM/278A

Separation Buffer 50 km

FCC DB Date : 02/19/97

Channel 278A (103.5 MHz)

Coordinates : 46-57-47 124-09-50

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KMNT LIC	Centralia WA	BLH850529KQ	275C 102.9	100. 322.0	46-33-18 123-03-27	117.9	95.94 .94	95 CLOSE
K276AD LIC	Shelton WA	BLFT92	276D 103.1	.178 93.0	47-13-00 123-05-19	70.5	86.39 .00	0 TRANS
TRANSLATOR FOR KWMX, SEATTLE, WA.								
K277AE APP	Seattle WA	BPFT950418TA	277D 103.3	.025 124.0	47-36-59 122-19-45	61.6	156.66 .00	0 TRANS
Translator for KMTTFM, Tacoma, WA- Vertical Polarization Only								
	Sooke BC		277A 103.3		48-21-28 123-41-10	12.8	159.18 46.18	113 CLEAR
KKCW LIC	Beaverton OR	BLH940307KB	277C 103.3	100. 504.0	45-31-22 122-45-07	145.4	193.63 28.63	165 CLEAR
CHQMFM	Vancouver BC		278C 103.5	100. 497.0	49-21-17 122-57-25	18.2	280.69 21.69	259 CLEAR
CHQMFM	Vancouver BC		278C 103.5	100. 611.0	49-21-17 122-57-25	18.2	280.69 21.69	259 CLEAR
KMTT LIC	Tacoma WA	BLH920826KC	279C 103.7	58. 714.0	47-30-14 121-58-29	69.2	176.36 11.36	165 CLOSE
NEW APP	Ilwaco WA	BPH920518MA	280C3 103.9	25.0 100.0	46-20-55 124-01-12	170.8	69.20 27.20	42 CLEAR
NEW APP	Ilwaco WA	BPH920521MI	280C3 103.9	25. 100.0	46-20-53 124-00-14	169.8	69.46 27.46	42 CLEAR
ALC	Ilwaco WA	Docket91-130	280C3 103.9		46-20-22 124-02-51	172.7	69.90 27.90	42 CLEAR
Proposed to Canada as B1 911119 Site restricted-Effective 04-20-1992								
K281AD LIC	Olympia WA	BLFT931228TD	281D 104.1	.050 94.0	47-03-10 122-50-45	83.8	100.74 .00	0 TRANS
Translator for KMTTFM, Tacoma, WA								

** End of separation study for channel 278A **

Jodesha Broadcasting, Inc

Page: 1
03/18/97

South Bend, WA

FM SEPARATION STUDY

Job Title : OCEAN SHORES NPRM/300A

Separation Buffer 50 km

FCC DB Date : 02/19/97

Channel 300A (107.9 MHz)

Coordinates : 46-57-47 124-09-50

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
	Victoria BC		297B 107.3	.0	48-25-00 123-22-00	20.0	172.35 101.35	71 CLEAR
KBBTFM PDEL	Banks OR	RM8732	298C2 107.5	.0	45-31-22 122-45-07	145.4	193.63 138.63	55 CLEAR
K299AI LIC	Longview WA	BLFT940826TA	299D 107.7	.050 .0	46-08-17 122-56-03	133.8	131.56 .00	0 TRANS
Translator for KAZL, Castle Rock, WA- Vertical Polarization Only								
KNDD LIC	Seattle WA	BLH860521KB	299C 107.7	100. 364.0	47-32-35 122-06-25	66.7	168.54 3.54	165 CLOSE
SPECIAL NEGOTIATED SHORT-SPACED ALLOTMENT								
KNDD CP	Seattle WA	BPH931012IL	299C 107.7	58. DA 714.0	47-30-14 121-58-29	69.2 SS	176.36 11.36	165 CLOSE
	Vancouver BC		300B 107.9	.0	49-15-00 123-06-00	16.9	266.35 43.35	223 CLEAR
SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION								
	Vancouver BC		300B 107.9	.0	49-15-00 123-06-00	16.9	266.35 43.35	223 CLEAR
CANADIAN PROPOSAL-SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION								
KHPE LIC	Albany OR	BLH5427	300C 107.9	100. 354.0	44-38-46 123-16-11	164.6	266.74 40.74	226 CLEAR

** End of separation study for channel 300A **

CERTIFICATE OF SERVICE

I, David Tillotson, do hereby certify that a copy of the foregoing COMMENTS AND COUNTERPROPOSAL have been sent via first class United States mail, postage pre-paid, this 26th day of March, 1997, to:

Henry Crawford, Esq.
1150 Connecticut Avenue, N.W.
Suite 900
Washington, DC 20036

A handwritten signature in dark ink, appearing to read 'David Tillotson', is written over a horizontal line.

David Tillotson